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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/930,816 | 08/15/2001 | Dominik J. Schmidt | AIRIFY014 | 2398 |

21906 7590 05/18/2005

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| EXAMINER |
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HO, TUAN V

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| ART UNIT | PAPER NUMBER |
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2615

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/930,816

Applicant(s)

SCHMIDT, DOMINIK J.

Examiner

Tuan V. Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11, 15, 18, 19, 21-24, 27 and 30-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8, 11, 15, 18, 19, 21-24, 27 and 30-38 is/are allowed.
- 6) ☒ Claim(s) 39, 40, 42 and 43 is/are rejected.
- 7) ☒ Claim(s) 41 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Applicant's arguments with respect to claims 39-40 and 42-43 have been considered but are moot in view of the new ground(s) of rejection.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 39-40 and 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sapir cited by Applicant (US 5,452,000) in view of Elabd (US 5,272,535).

With regard to claim 39, Sapir discloses in Fig. 2, a still video apparatus that comprises the a photocard for insertion into a non-digital camera (module 38 is used to insert into a film camera, col. 3, lines 15-30), imager to capture images through a shutter aperture of the non-digital camera (CCD array 22 captures an image when the shutter of film camera 10 is activated, col. 3, lines 4-14), a processor to process the images (signal processing 26, col. 3, lines 19-24); and a memory

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to store the images(memory 32), except that photocard includes an integrated circuit that comprises the imager, processor and memory.

Sapir does not explicitly disclose any integrated circuit that comprises the CCD 22, signal process 26 and memory 32. However, Elabd teaches using an integrated imaging device 10 that includes imaging array 12, image processing unit 6 and memory 4. As a result, the integrated circuit of Elabd would reduce the size of the circuit in over all and easily to fit into a film housing a camera.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the circuit of Sapir as the same fashion as disclosed by Elabd in order to obtain a module 10 including an integrated circuit that comprises image sensor, signal processing unit and memory.

With regard to claim 40, Sapir in view of Elabd discloses the same subject matter as discussed with respect to claim 39, except that the integrated circuit comprises a complementary metal oxide semiconductor (CMOS) integrated circuit.

Official Notice is taken a CMOS integrated circuit, where the CMOS circuit uses less electrical power and generates less heat in comparing to a CCD device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the integrated circuit of Sapir in view of Elabd into a CMOS integrated circuit that can reduce power consumption and heat.

With regard to claim 42, Sapir in view of Elabd discloses the same subject matter as discussed with respect to claim 39, Except that the second memory coupled to the integrated circuit. (furthermore, Sapir discloses the module 38 that can be connected to storage device 36 as shown in Fig. 2, col. 3, line 32).

With regard to claim 43, Sapir in view of Elabd discloses the same subject matter as discussed with respect to claim 39, except that the integrated circuitry to generate an analog output to drive a monitor (furthermore, Sapir discloses the module 38 that can be connected to display 36 as shown in Fig. 2, col. 3, line 32).

3. Claim 41 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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4. Claims 1-8, 11, 15, 18-19, 21-24, 27, 30-38 are allowed.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, JIM GROODY can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600.



TUAN HO

Primary Examiner

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